

Before the FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of 2002 Biennial Regulatory Review -
Review of the Commission's Broadcast Ownership Rules
and Other Rules Adopted Pursuant to Section 202
of the Telecommunications Act of 1996,
Notice of Proposed Rulemaking,
MM Docket No. 02-277, (rel. Sept. 23, 2002)

To: The Secretary, FCC Commissioners, and Chief, Media Bureau

I am writing to you to comment on Docket No. 02-277, The Biennial Review of the FCC's broadcast media ownership rules. I strongly believe that the FCC should retain all of the current media ownership rules now in question, and in fact, should properly reconsider the impact of their previous decisions to deregulate ownership.

These changes have not served the interests of the great majority of Americans, but have only served to enrich a handful of already large media corporations. The singular focus on the corporate bottom line, exacerbated by media consolidation, has already contributed to the loss of thousands of jobs, of resources for local and international news, the trivialization of important public issues and the reduction in the diversity of viewpoints.

We support the Commission's review of policies in this changing media environment, while acknowledging that they are still charged with upholding the fundamental values of media diversity, localism and independence, in a democratic society.

We celebrate the new technologies, for which much of the creative design and development was made possible by the support of the U.S. government and public universities. Today, there are more different media platforms than ever before, extending the possibility of a communications commons all over the world.

However, the importance of the media for a democratic society is much more than a question of potential distribution circuits. Surely the questions that the Commission needs to ask are not about quantity, but quality, not about speculations but about observed effects. Is there reliable information, easily accessible to all, from a wide spectrum of people and perspectives, from local, national and international sources? How are citizens experiencing the change in media ownership? The published studies do not address these questions.

The scope of the reports is also flawed. This is not the first round of deregulation of ownership rules, yet none of the reports address lessons from the past, by looking at the period immediately before and after the elimination of previous FCC ownership rules. Nor do they ask the crucial operative question for the future: who would benefit and who would lose, if the present rules were to be repealed?

As a case in point, let us examine one of the few studies that addresses the question of diversity. In Viewpoint Diversity in Cross-Owned Newspapers and Television Stations: A Study of News Coverage of the 2000 Presidential Campaign, David Pritchard sampled the coverage by 10

cross-owned newspaper/television combinations of the 2000 election campaign between presidential candidates Bush and Gore. He found that •for the ten markets studied, our analysis of the coverage of last two weeks of the 2000 presidential campaign suggests that common ownership of a newspaper and a television station in a community does not result in a predictable pattern of news coverage and commentary on important political events between the commonly-owned outlets. •

There are several reasons why Pritchard's study is inconclusive, and we will focus on three. First of all, the study equates viewpoint diversity with the results of one event: the national presidential election. However, this complex story had many more than two sides. The Study needed to consider: all the public issues in the campaign; the impact on local citizens and democratic decision-making; and the independent and third party candidates •all of which proved to be crucial to the outcome of the 2000 elections.

Secondly, a sample of ten is not conclusive. Why not include the entire population, of seventeen cross-owned newspaper-television combinations, and 10 other newspaper-radio-television combinations, and obtain a much more reliable picture? This would remove any question of •special cases • exhibited by one company, or by one unusual metropolitan area existing in such a huge and regionalized country.

Finally, the study says nothing about what would happen if the ruling was repealed and cross-ownership increased. Thus, Pritchard's study cannot be used as evidence for a repeal of the Cross-Ownership Rule until we can reason beyond any shadow of a doubt that diversity in an already highly consolidated media landscape would not be further compromised if the FCC allowed open, or even increased, cross-ownership.

The right to carry on informed debate and discussion of current events is part of the founding philosophy of our nation, and was in fact, the reasoning behind the First Amendment. The freedom of speech is a fundamental value for all, and not just those who own a media outlet. If the FCC continues to allow media outlets to merge, our ability to have open, informed discussion with a wide variety of viewpoints will be compromised.

In addition, I support the FCC's plan to hold a public hearing on this matter in Richmond, VA in February 2003. I strongly encourage the Commission to hold similar hearings in all parts of the country and solicit the widest possible participation from the public. The FCC was entrusted to not only consider the minority viewpoint of those with a financial interest in this issue, but all those who contribute to this country.

With the serious impact these rule changes will have on our democracy, it is incumbent on the Commission to take the time to review these issues more thoroughly and allow the American people to have a meaningful say in the process.

Thank you for your consideration,

Francisco McGee, Dept. of Media Studies, University of San Francisco,
Dorothy Kidd, Ph.D. , Dept. of Media Studies, University of San Francisco.

